

04-233

Federal Communications Commission
Office of the Secretary

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Dear Chairman Martin:

Today we met with Commissioner Tate to discuss the NPRM on localism. We would also like to share our thoughts with you.

Our group is not a formal lobbying organization. We are concerned radio station owners and managers from all over the United States who serve our communities on a daily basis. We are representative of many who are broadcasting throughout America.

There are few stories written about us in the national press. If you look at the number of radio stations licensed to small markets not rated by Arbitron you could call us the “silent majority”. We are here today to communicate with you how broadcasters strive to serve the public interest at a very high level.

We are including a compilation of true localism from small market stations across the country. This is the “untold story” about radio today. In these summaries you will see local radio stations that go well above and beyond current or proposed government regulations.

We understand community service and involvement. It is the lifeblood and essential to our business success. However, there are literally thousands of different situations and "one size fits all" is really not applicable. Specific mandates could severely hamper each station's ability to uniquely serve its community and be counter-productive to FCC "localism" goals.

We understand the commission's wish to strengthen localism and we have suggestions on how those goals can be accomplished. However there are a whole set of practical and economic issues that should be considered as the Commission looks to encourage stations to strengthen localism efforts.

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List ABCDE

Meeting Attendees:

Jay Philipponne, President - Group Leader
Priority Communications
12 West Long Avenue
DuBois, Pa. 15801
(WSDN-FM/WCED-AM, Dubois, PA)
(WCDK-FM/WEIR-AM, Weirton, WV)

Charlie Russell
Box 460,
Onley, Va 23418
(WESR-AM/FM)

Dean Spencer, President/Licensee
P O Box 1307
Bedford, Indiana
(WBIW/WQRK/WPHZ)

Julie Koehn, President/Licensee
Lenawee Broadcasting Company
Adrian, Mich
(WLEN-FM)

Al Harris, President/Licensee
40 Shoshone Avenue
Green River, Wyoming
(KUGR-AM/KYCS-FM/KFRZ-FM,KZWB-FM)

Kim Love, President/Licensee
Box 5086
Sheridan, Wyoming 82801
(KROE/KZWY/KYTI/KWYQ/KLOQ)

Paul Gardner, President/Licensee
Elko Broadcasting Company
800 Idaho Street
Elko, Nevada 89801

Joe Jindra, President
KNCK/KCKS
PO Box 629
Concordia, Kansas
(KCNK/KCKS)

Main Studio Rule

Localism is a performance decision, not a geographical situation.

Radio stations do not have to be in their communities of license in order to serve those communities well. We are providing specific examples to illustrate this point.

We believe the concept of "City of License" is outdated and "Region of License" should be considered.

- **Today people live in one community, work in another and as school districts have consolidated their children may attend school in a different community altogether. Every radio station provides coverage not only to its city of license but also to surrounding communities that have no licensed broadcast facilities.**
- **People from the city of license and any part of stations coverage areas have access to radio stations via US Mail, telephone, fax, email, and "contact us" pages on station web sites. Several of these methods of communication did not exist when the original community of license rule was enacted. In fact, with cell phones mainstream in American life, listeners have more ways to contact their local radio station at any time than ever before.**
- **Many stations are licensed to towns of 1000, 500 or less. There are some practical constraints associated with this. The stations do serve the communities, but that service would not necessarily be better just because of the location of the main studio.**

While we agree there are practical ways to improve localism, reverting to the pre-1987 main studio rule would be unnecessarily burdensome on small market broadcasters.

Many operators acquired additional stations that would not have survived as standalones. Local operators keep them on the air serving local audiences following the guidelines, including the main studio rule, established by the FCC at the time.

Breaking up facilities built under the current main studio rule is cost prohibitive and will not improve localism.

We all agree that "localism" is the key to our business. Our goal is to always serve our communities. If we do not, local businesses do not want to do business with us and that is our only source of revenue. Localism is the key to our survival.

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Improving Delivery of Emergency Information

Alternative Solutions to 24/7 Staffing

It is our understanding the issue is timely delivery of emergency information to the public. We believe that our suggestions would better serve the public interest than an “across the board” mandate to staff stations 24 hours a day.

- **Emergencies are best handled by managers and news professionals who can be reached at home or via cell phone and who can access programming via technology.**
- **Technology allows reliable access to radio stations from a remote location.**
- **The EAS system automatically takes over stations immediately and broadcast alerts. This happens "manned or unmanned".**
- **EAS, while not perfect yet, is workable and while improvements need to be made, should be the foundation of any enhanced system. In Pennsylvania, the state has set up EMNet which enables local authorities to access the system for Amber alerts and local emergencies. The radio industry should work with State and Federal Governments to improve and expand the current EAS system to better serve all of our communities.**
- **Running unattended overnight has allowed us to re-allocate funds to better serve our community on a consistent daily basis.**

The technology and expertise exist and if we have the flexibility to utilize it, we can improve the delivery of emergency information. The FCC should set policy and measurable standards, and then let the industry use its knowledge and experience in the local market and expertise to find the best way to implement it.

We propose:

- **Stations should be given the option of certifying they have an emergency action plan assuring emergency information can be broadcast within a reasonable period of time, regardless of the location of the individual(s) charged with the responsibility of airing such information.**
- **Each licensee should have the flexibility to develop its own individual “Plan of Action” that best fits its unique situation for handling the broadcast of emergency information during unattended hours of operation.**

- **Stations should be required to devise and establish along with local emergency officials, written plans to allow officials to contact station management and that management to have the ability to interrupt programming from any location. Drills should be scheduled and conducted to assure the system is operating properly.**
- **There are many examples of existing technology that could provide warnings directly to homes during emergencies that occur when most people are asleep. Radios that can be activated remotely like existing NOAA weather radios would enable the warnings to reach people who are asleep. The commission should consider requiring radio manufacturers to include technology that would enable emergency officials to turn the radio on remotely.**

There is an assumption that there is a cause and effect relationship between live bodies at a studio and the ability to serve. The best solution is a performance policy, an acceptable level of response, and flexibility to meet that requirement.

Advisory Boards

We understand that the FCC wants to be sure we have adequate opportunity to hear from the community and to be sure that Licensees are attuned to community needs. Advisory Boards have been suggested as a way of gathering such information. Most licensees have many ways in which they keep abreast of their communities, which in some cases does include advisory panels. There are many ways to accomplish the task. Below are some of our thoughts and suggestions.

- A community service programming summary with flexibility like current EEO outreach regulations and the Quarterly Report we place in our public file to summarize, and not massively document, our localism efforts.**
- With current technology it is now feasible to survey a broad base of the community (including our listeners) every 12 months instead of convening an advisory board of community leaders who are already time stressed and would be on the boards of every station in the region. Surveys could be internet based with paper copies available to those who are interested but do not have internet access.**
- There must be enough time between surveys to develop, implement and evaluate programming based on these surveys.**
- With more radio stations and media choices than ever before most radio stations have clearly defined target audiences. Communities will be best served if stations are allowed to gear their efforts towards the stations target audience rather than a “one size fits all” approach. Listener interests of a station with an audience of females 35-54 are much different than stations with audiences of teens or men 18-34. If the programming is not compelling to the audience of a specific station they will turn off the station and the intent of the commission and efforts by the station will be wasted.**

If the FCC were to implement massive documentation requirements, such as TV Form 355 Quantitative Disclosure, our localism efforts would likely be reduced because there is only a finite amount of time and personnel resources. We would be faced with shifting some of our localism content gathering time to document localism instead.